

PATENT
Attorney Docket No. A-65351-2/DJB
Attorney File No.: 465377-00708

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

LIU *et al.*

Serial No. 09/612,118

Filed: July 7, 2000

For: *Large Capacity Acid or Base
Generator and Method of Use*

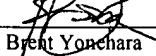
Examiner: LUDLOW, Jan M.

Art Unit: 1743

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: December 28, 2004

Signature 
Brent Yonchara

**TERMINAL DISCLAIMER TO
OBVIATE A DOUBLE PATENTING REJECTION**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Petitioner, **Dionex Corporation** (hereinafter "Dionex"), represents that it is the assignee of the entire right, title, and interest of:

1. The instant application, U.S. Serial No. 09/612,118, filed July 7, 2000, which is a divisional of U.S. Serial No. 09/017,050, filed February 2, 1998;
2. U.S. Patent No. 6,225,129, filed February 2, 1998, and issued May 1, 2001; and

An assignment is recorded in the United States Patent and Trademark Office for U.S. Serial No. 09/017,050, at Reel 009287, Frame 0482.

Dionex hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extended beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173, as shortened by any terminal disclaimer filed prior to the grants of U.S. Patent No. 6,225,129.

Dionex hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 6,225,129 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Dionex does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent No. 6,225,129, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any of U.S. Patent No. 6,225,129 later expire for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 U.S.C. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer filed prior to its grant.

The undersigned is empowered to act on behalf of the petitioner/assignee. The undersigned has reviewed the evidentiary documents in the chain of title of the present application identified above, and certifies that, to the best of assignee's knowledge and belief, title is in the assignee Dionex.

Serial No.: 09/612,118
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I, the undersigned, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that willful or false statements may jeopardize the validity or enforceability of the application or any patent issued thereon.

DORSEY & WHITNEY LLP

Dated: 12/27/04

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Filed Under 37 C.F.R. § 1.34